

Senate Resolution 1140

By: Senators James of the 35th, Rhett of the 33rd and Henson of the 41st

A RESOLUTION

1 Creating the Senate Study Committee on Revising the Applicability and Nomenclature of the
2 Offense of Rape; and for other purposes.

3 WHEREAS, sexual assault involving sexual penetration carried out against a person without
4 that person's consent affects victims across genders, gender identities, and sexual
5 orientations; and

6 WHEREAS, the injuries and the traumatic effects incurred by such sexual assault are the
7 same for all victims; and

8 WHEREAS, in recognition that all victims of sexual assault involving sexual penetration are
9 of the same standing, the offense of rape may need to be reclassified under Georgia law to
10 include elements of the offenses of aggravated sodomy, aggravated sexual battery, and other
11 such sexual offenses; and

12 WHEREAS, study is needed on sexual offenses and the elements of such crimes to determine
13 whether elements and nomenclature for the offense of rape need to be revised in Georgia law.

14 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

15 (1) **Creation of Senate study committee.** There is created the Senate Study Committee
16 on Revising the Applicability and Nomenclature of the Offense of Rape.

17 (2) **Members and officers.** The committee shall be composed of five members of the
18 Senate to be appointed by the President of the Senate. The President shall designate a
19 member of the committee as chairperson of the committee.

20 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
21 issues, and problems mentioned above or related thereto and recommend any action or
22 legislation which the committee deems necessary or appropriate.

23 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
24 may conduct such meetings at such places and at such times as it may deem necessary or

25 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
26 accomplish the objectives and purposes of this resolution.

27 **(5) Allowances and funding.**

28 (A) The legislative members of the committee shall receive the allowances provided
29 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

30 (B) The allowances authorized by this resolution shall not be received by any member
31 of the committee for more than five days unless additional days are authorized. Funds
32 necessary to carry out the provisions of this resolution shall come from funds
33 appropriated to the Senate.

34 **(6) Report.**

35 (A) In the event the committee adopts any specific findings or recommendations that
36 include suggestions for proposed legislation, the chairperson shall file a report of the
37 same prior to the date of abolishment specified in this resolution, subject to
38 subparagraph (C) of this paragraph.

39 (B) In the event the committee adopts a report that does not include suggestions for
40 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
41 of this paragraph.

42 (C) No report shall be filed unless the same has been approved prior to the date of
43 abolishment specified in this resolution by majority vote of a quorum of the committee.
44 A report so approved shall be signed by the chairperson of the committee and filed with
45 the Secretary of the Senate.

46 (D) In the absence of an approved report, the chairperson may file with the Secretary
47 of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

48 **(7) Abolishment.** The committee shall stand abolished on December 1, 2018.